

# **Exhibit V**

Fwd: Update

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**From:** CALART100@aol.com  
**To:** Cjdiven@aol.com  
**Subject:** Fwd: Update  
**Date:** Sat, 31 Mar 2007 8:51 AM  
**Attachments:** Norris\_Adams.vcf (460)

Call me on this

Fwd WJ

KA v MARTIN  
MVR

CANTING

DV OLS

**Attached Message**

**From:** NAdams@essexrichards.com  
**To:** CALART100@aol.com  
**Cc:** cjdiven@aol.com  
**Subject:** Update  
**Date:** Fri, 30 Mar 2007 2:34 PM

Gentlemen:

I have looked into the Notice of Appeal filed by Chagaris. As you know, I According to the NC Rules of Appellate Procedure as I read them, he had He then has 14 days from the filing of the Notice of Appeal to arrange for certification of transcript (or if no transcription is requested then 35 days fr party (R. 11). Then, he has 15 days from settlement of the record to file th for copies (R. 12). Finally, the parties have 30 days from the date the cler

I checked the NC Court of Appeals docket and your case is not listed.

I also called Chagaris to see if he could fill me in, but as expected, he did not answer.

I then called the NC Court of Appeals and the person I spoke to there looked up your case by party names and by the lower court's case number and informed me that nothing has ever been filed with the Court of Appeals in this matter. She recommended to me that Chagaris likely filed the Notice of Appeal in Meck County, but then never followed through with it with the Court of Appeals.

As you can see from those deadlines I mentioned above, it appears this matter is long past time for any possible appeal.

I'm sorry to bring this news on a Friday, but this is what I've found and I would certainly advise you to get a second opinion.

Regards,

Norris

ESSEX  
RICHARDS



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(704) 372-1357 (facsimile)  
N.adams@essexrichards.com

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